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Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

In the Matter of	)	
	)	
Amendment of Section 73.622(b),	)	MM Docket No. _____
Table of Allotments,	)	RM No. _____
Digital Television Broadcast Stations.	)	
(McAllen, Texas)	)	

To: Chief, Video Services Division

PETITION FOR RULEMAKING

Entravision Holdings, LLC, licensee of Station KNVO, NTSC Channel 48, McAllen, Texas ("Entravision"), by and through its counsel, and pursuant to Section 1.401 of the Commission's Rules, hereby files its Petition for Rulemaking ("Petition"). The Petition requests that the Commission amend Section 73.622(b) of the Commission's Rules, the Digital Television Table of Allotments ("Table of Allotments"), to substitute DTV Channel 49 in lieu of DTV Channel 46 for use at McAllen, Texas. In support thereof, Entravision states as follows:

By the Table of Allotments, Channel 46 was allotted to Entravision for DTV service. Entravision proposes that the Commission amend the Table of Allotments to substitute Channel 49 for Entravision's DTV service. Entravision submits an Engineering Statement ("Engineering Statement"), attached hereto as Exhibit 1, as the basis for the requested amendment.

As demonstrated in the attached Engineering Report, the requested rulemaking fulfills the requirements of the Commission's Rules. The substitution of DTV Channel 49 complies with the community principal coverage requirements of Section 73.625(a) of the Commission's Rules, as the proposal will replicate the current Grade B coverage contour. Additionally, as shown in the Engineering Statement, the channel change is acceptable under the 2-percent criterion for *de*

minimis impact that is applied in evaluating requests for modification of initial DTV allotments under Section 73.623(c)(2) of the Commission's Rules.

The requested rulemaking is also in both the public's and Entravision's interest. The switch from DTV Channel 46 to DTV Channel 49 is in the public interest as DTV Channel 49 is the first-adjacent channel to Entravision's present NTSC Channel 48. Such a first-adjacent position will ease viewers' abilities to locate Entravision's DTV channel. The use of Channel 49, as a first-adjacent channel, will also allow Entravision to utilize a common antenna system, enabling Entravision to avoid the cost of purchasing additional equipment.

Furthermore, the requested rulemaking will meet distance spacing requirements of the Commission's Rules and treaties. Given the proximity of the Mexican border area, the July 22, 1998 Memorandum between the United States and Mexican Governments sets forth a table of Mexican and United States NTSC and DTV stations in the border area.[1] This Memorandum specifies distance spacing requirements between Stations across the United States - Mexican border. The use of DTV Channel 49 meets the distance requirements to all Mexican stations contained in that Memorandum.

In the Memorandum Opinion and Order on Reconsideration of the Sixth Report and Order, FCC-98-24, released February 23, 1998, in which the Commission reconsidered the DTV allotments, the Commission stated that its intention throughout the DTV allotment process is to "provide broadcasters with the flexibility to develop alternative allotment approaches and plans."

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[1] See, Memorandum of Understanding between the Federal Communications Commission of the United States of America and the Secretaria de Comminicaciones y Transportes of the United Mexican States Related to the use of the 54-72 MHZ, 174-216 MHZ and 470-806 MHZ Bands for the Digital Television Broadcasting Service Along the Common Border.

Id. at ¶ 187. The substitution proposed by the instant Petition and requested rulemaking deserves consideration under this flexible standard as it will cause no interference to other allotments and is in the best interests of both the public and Entravision. It is consistent with other recent actions of the Commission proposing changes in the DTV Table of Allotments. See, e.g., Notice of Proposed Rulemaking, DA 99-1420, released July 21, 1999; Notice of Proposed Rulemaking, DA 99-1369, released July 14, 1999.

As such, Entravision respectfully requests the Commission amend the Table of Allotments, substituting DTV Channel 49 for DTV Channel 46, so that the Table of Allotments reads as follows:

City	Channel No.	
	Present	Proposed
McAllen, Texas	46	49

Respectfully submitted,

ENTRAVISION HOLDINGS, LLC

By: _____

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Dated: August 2, 1999

90623.1

ENGINEERING STATEMENT
prepared for
Entravision Holdings, LLC
KNVO-DT McAllen, Texas

This engineering statement has been prepared on behalf of *Entravision Holdings, LLC (Entravision)*, in support of a *Petition for Rulemaking*. *Entravision* is the licensee of television station KNVO (TV), Chanel 48, McAllen, Texas. In the Federal Communications Commission's Second Memorandum Opinion and Order on Reconsideration of the Fifth and Sixth Report and Orders on Advanced Television,[1] digital television (DTV) Channel 46 was allotted as a "paired" channel for the KNVO analog Channel 48. An substitute DTV channel is proposed herein for KNVO-DT.

Discussion

Entravision desires to utilize a DTV channel first-adjacent to the existing NTSC Channel 48 facility. According to representatives of Entravision, an antenna system that would accommodate first-adjacent channels is ideally suited for the implementation of DTV for KNVO.

An engineering review of the DTV allotments and NTSC assignments in the region surrounding McAllen showed that a first-adjacent channel could be used for KNVO-DT. Detailed interference studies to domestic stations were conducted in accordance with the terrain dependent Longley-Rice point-to-point propagation model, per the Commission's Office of Engineering and Technology Bulletin Number 69, *Longley-Rice Methodology for Evaluating TV Coverage and Interference*, July 2, 1997 ("OET-69").[1] The studies showed that Channel 49 could be used for

[1]See MM Docket 87-268, *Advanced Television Systems and Their Impact upon the Existing Television Broadcast Service*, FCC 98-315, released December 18, 1998.

[1]The implementation of OET-69 for this study followed the guidelines of OET-69 as specified therein, except that the terrain profile step size is 0.1 km (which provides a finer resolution than the Commission's standard 1 km step size). A standard cell size of 2 km was used. The Longley-Rice computer program input data, following the guidelines established under OET-69, includes a location variability of 50%, a time availability of 10%, a situation variability of 50%, horizontal polarization, 0.005 S/m conductivity, a climate constant of 15, an assumption of a continental temperate climate zone, and a receive antenna height of 10 meters. The service area for each DTV facility under study is that area predicted to receive signal levels of at least 41 dBμ using the Longley-Rice methodology, and within the DTV F(50,90) service contour distance as determined per §73.625(b). In instances where the DTV reference ERP is 1,000 kW, the Grade B contour of the associated analog station is used to determine the extent of the DTV station's service area per §73.622(e)(1). The F(50,90) DTV service contour level is established by the formula 41 - 20log[(615/channel mid-frequency)] dBμ. The service area for each NTSC facility under study is that area predicted to receive signal levels of at least 64 dBμ using the Longley-Rice methodology, and within the NTSC F(50,50) service contour distance as

KNVO-DT at 200 kW effective radiated power. DTV Channel 49 at McAllen would provide coverage to over 100 percent of the area and population of the interference-limited KNVO NTSC Channel 48.

All domestic stations considered in this study are listed in the attached **Table 1**. The results of the interference study, also summarized in **Table 1**, indicate that no interference to any other station is predicted (and therefore meets the Commission's 2% / 10% interference limits regarding DTV proposals). Thus, this proposal is believed to be in compliance with the provisions of §73.623(c)(2) of the Commission's rules.

Given the close proximity to the U.S. - Mexican border, it is noted that coordination with the Mexican government may be necessary. To that end, the nearest pertinent Mexican DTV and NTSC allotments are listed in the attached **Table 2**. The Mexican assignments and required distances listed are from the July 22, 1998 memorandum between the Commission and Mexican counterparts.[2] In each case, the required distances are satisfied. Coordination with Mexican authorities is requested, as required.

The technical data for the proposed Channel 49 allotment is summarized on the following page. The location and antenna height are the same as that for the current DTV Channel 46 allotment for KNVO-DT.

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determined per §73.684(c). The F(50,50) NTSC service contour level is established by the formula 64 - 20log[615/(channel mid-frequency)] dBμ. Comparisons of various results of this computer program to the Commission's implementation of OET-69 show good correlation.

[2]Memorandum of Understanding Between the Federal Communications Commission of the United States of America and the Secretaria de Comunicaciones Y Transportes of the United Mexican States Related to the Use of the 54-72 MHz, 76-88 MHz and 470-806 MHz bands for the Digital Television Broadcasting Service Along the Common Border.

Summary Technical Data for Proposed DTV Channel 49 Substitution McAllen, Texas

Coordinates (NAD-27)	26° 05' 20" N-Lat 98° 03' 44" W-Lon
Channel	49
Effective Radiated Power	200 kW (non-directional)
Antenna Height	311 m AMSL 288 m HAAT

Summary

It is proposed that KNVO-DT McAllen, Texas be permitted to substitute DTV Channel 49 in lieu of the allotted DTV Channel 46. Over 100 percent replication of the area and population coverage of the existing KNVO NTSC Channel 48 will be provided. No interference is predicted to be caused to other domestic DTV allotments or NTSC assignments; international spacing requirements are met. The use of DTV Channel 49 for KNVO-DT would permit *Entravision* to utilize its desired antenna system.

Certification

Under the penalty of perjury, the undersigned hereby certifies that the foregoing statement was prepared by him or under his direction, and that it is true and correct to the best of his knowledge and belief. Mr. Davis is a principal in the firm of *Cavell, Mertz & Davis, Inc.*, is a Registered Professional Engineer in Virginia, holds a Bachelor of Science degree from Old Dominion University in Electrical Engineering Technology, and has submitted numerous

engineering exhibits to various local governmental authorities and the Federal Communications Commission. His qualifications are a matter of record with that entity.

Joseph M. Davis, P.E.
July 27, 1999

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Table 1

INTERFERENCE ANALYSIS RESULTS SUMMARY

prepared for

Entravision Holdings, LLC

KNVO-DT McAllen, Texas

Stations Considered	City, State Channel, Type	Distance (km)	Baseline Population (1)	Initial Interference Percentage (2)	Additional Interference Percentage (3)	Proposed Change in Interference Population (4)	Proposed Change in Interference Percentage (5)	Final Interference Percentage (6)
KRIS-DT (reference)	Corpus Christi, TX 50 DTV	188.7	n/a	------ No interference predicted from proposal -----				

Notes:

(1) For DTV stations, greater of NTSC or DTV Service Population, from FCC Table
For NTSC stations, total population within noise-limited contour

(2) For DTV stations, 100 percent minus FCC Table initial DTV/NTSC population match
For NTSC stations, initial percent loss: percent of population within (1) predicted to receive DTV only interference from FCC Table

(3) Additional interference experienced due to DTV facilities authorized subsequent to initial allotment table

(4) Net change in population receiving interference resulting from proposal

(5) Proposal's impact in terms of percentage, equals (4)/(1) times 100 percent: not to exceed *de minimis* limit of 2.0 percent

(6) Total interference: equals (2) + (3) + (5); proposal may not increase (2) +(3) above 10 percent

The determination of stations for consideration and the determination of baseline population and interference percentages were made as described in the Commission's August 10, 1998 Public Notice *"Additional Application Processing Guidelines for Digital Television"*

Table 2

MEXICAN ALLOCATION CONSIDERATIONS

prepared for

Entravision Holdings, LLC

KNVO-DT McAllen, Texas

Assignment	NAD-27 Coordinates	----------Distance (km)---------- Actual	Required
Monterrey, NL NTSC Ch. 34	25° 37' 52" 100° 14' 04"	223.6	24 or less or 96 or more
Monclova, CO NTSC Ch. 35	26° 54' 41" 101° 26' 13"	348.6	24 or less or 95 or more
Nuevo Laredo, TA NTSC Ch. 45	27° 29' 13" 99° 30' 06"	210.9	24 or less or 32 or more
CD. Allende, CO NTSC Ch. 46	28° 20' 48" 115° 29' 39"	372.5	24 or less or 32 or more
Monclova, CO DTV Ch. 48	26° 53' 43" 101° 25' 46"	347.4	32 or less or 88 or more
Monclova, CO DTV Ch. 49	26° 53' 43" 101° 25' 46"	347.4	223 or more
Nuevo Laredo, TA DTV Ch. 50	27° 26' 41" 99° 30' 30"	208.0	32 or less or 88 or more
Piedras Negras, CO NTSC Ch. 52	28° 41' 14" 100° 32' 58"	378.7	24 or less or 32 or more
Monterrey, NL NTSC Ch. 53	25° 37' 36" 100° 19' 15"	232.1	24 or less or 32 or more
Nuevo Laredo, TA NTSC Ch. 57	27° 26' 41" 99° 30' 30"	208.0	24 or less or 32 or more